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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

*In re*

TRANSCARE CORPORATION, *et al.*,

Debtors.

Chapter 7

Case No. 16-10407 (DSJ)

(Jointly Administered)

**STATEMENT OF ANKURA TRUST COMPANY, LLC  
WITH RESPECT TO CLAIM NOS. 6, 7, 9, 12, 16, 21, 29, 73, AND 584**

1. Ankura Trust Company, LLC (“Ankura”) is the successor administrative agent for certain prepetition secured lenders of the above-captioned debtors (the “Zohar Lenders”).<sup>1</sup> *See Zohar III, Corp.*, Case No. 18-10512 (Bankr. D. Del. March 19, 2019), *Order (I) Authorizing the Appointment of Ankura Trust Company, LLC as New Agent Under the Court-Approved Settlement Agreement by and Between the Debtors, Lynn Tilton, the Patriarch Stakeholders, MBIA Insurance Corp., and the Zohar III Controlling Class And (II) Granting Related Relief* [Docket No. 709] (the

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<sup>1</sup> The Zohar Lenders’ loans are now owned by Phoenix II Recovery, LLC and Phoenix III Recovery, LLC (the “Asset Recovery Entities”) pursuant to the transactions approved in the joint plan of liquidation confirmed by the U.S. Bankruptcy Court for the District of Delaware. *See Zohar III, Corp.*, Case No. 18-10512 (Bankr. D. Del. August 2, 2022), *Fourth Amended Joint Plan of Liquidation Under Chapter 11 of the Bankruptcy Code for Zohar III, Corp. and its Affiliated Debtors* [Docket No. 3474].

“Ankura Appointment Order”); *see also Transfer of Claims Other Than for Security* [Docket No. 742] (the “Notice of Transfer”).

2. The U.S. Bankruptcy Court for the District of Delaware (the “Delaware Bankruptcy Court”) appointed Ankura to replace Patriarch Partners Agency Services, LLC (“PPAS”) as the administrative agent with respect to the Zohar Lenders’ loans to TransCare Corporation. *See Ankura Appointment Order* ¶ 2. Ankura is an independent administrative agent and not affiliated with PPAS. Before Ankura’s appointment, PPAS filed proofs of claims in these cases, not only on behalf of itself but also as the administrative agent on behalf of various lenders with respect to their separate claims, including the secured claims held by the Zohar Lenders (the “Zohar Secured Claims”). PPAS asserted the Zohar Secured Claims in an agency capacity and not as the actual owner or beneficial holder of the Zohar Secured Claims. On July 6, 2020, the Court entered a judgment (the “Judgment”) against PPAS, among other things, avoiding a fraudulent conveyance. In connection with the Judgment, the Court disallowed PPAS’s claims under 11 U.S.C. § 502(d), which disallows the claim of entities from which property is recoverable under the trustee’s avoidance powers “unless such entity or transferee has paid the amount, or turned over any such property, for which such entity or transferee is liable . . . .”

3. On November 2, 2022, as more fully described in the Notice of Transfer, in furtherance of the agency transition ordered by the Delaware Bankruptcy Court, PPAS transferred the Zohar Secured Claims to Ankura.

*[Remainder of page intentionally left blank]*

4. The Judgment was recently satisfied. *See LaMonica v. Tilton*, Case No. 18-ap-01021 (DSJ) (S.D.N.Y. Dec. 7, 2023) [Docket No. 44]. Accordingly, if and to the extent the Judgment had disallowed the Zohar Secured Claims, the Zohar Secured Claims have been reinstated under 11 U.S.C. § 502(d).

Dated: January 21, 2024  
New York, New York

/s/ Dennis F. Dunne

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